

Message Text

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ACTION SCS-03

INFO OCT-01 NEA-10 ISO-00 NSC-05 DHA-02 L-03 H-01

SCA-01 SY-05 SSO-00 SS-15 PRS-01 USIA-06 /053 W

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P R 250535Z JUL 77

FM AMCONSUL CALCUTTA

TO AMEMBASSY NEW DELHI PRIORITY

INFO SECSTATE WASHDC 6219

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E.O. 11652: NA

TAGS: CASC, IN

SUBJECT: INCIDENT INVOLVING AMCITS IN MAYAPUR

REF: CALCUTTA 1708

1. CONOFF TRAVELLED TO KRISHANAGAR ON JULY 23, 1977 TO VISIT UNITED STATES PRISONERS WHO WERE ARRESTED ON JULY 8 AND ATTEND BAIL HEARINGS. SEPTELS WILL BE FORWARDED ON EACH OF THOSE ARRESTED IN COMPLIANCE WITH DEPARTMENT INSTRUCTIONS.

2. BEFORE ATTENDING COURT, CONOFF CALLED ON DISTRICT MAGISTRATE (MRS. RANU GHOSH) WHO ADVISED THAT SITUATION IN AND AROUND ASHRAM AT MAYAPUR WAS STILL TENSE. SHE EXPRESSED THE OPINION THAT IF THOSE WHO WERE ACTUALLY INVOLVED IN THE SHOOTING WERE RELEASED ON BAIL IT WOULD FUTHER HEIGHTEN TENSION AND MIGHT CAUSE FUTHER INCIDENTS. MRS. GHOSH ASSURED THE CONOFF THAT EVERY PRECAUTION WOULD BE TAKEN TO SEE THAT NO SUCH INCIDENT DID TAKE PLACE BUT SHE STATED IT WOULD BE BEST FOR ALL CONCERNED IF THE PRISONERS ARE HELD IN JAIL FOR A FEW MORE WEEKS UNTIL THE PRELIMINARY INVESTIGATION IS OVER AND THEN GIVEN BAIL WHICH WOULD RESTRICT THEIR MOVEMENTS TO THEIR LIMITED OFFICIAL USE

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QUARTERS IN CALCUTTA SOME ONE HUNDRED ODD MILES AWAY FROM THE INCIDENT. MRS. GHOSH WENT ON TO SAY THAT THE POLICE CONTINUE TO KEEP A STRONG FORCE IN THE MAYAPUR ASHRAM AREA AND THAT THIS HAS HAD A QUIETENING EFFECT ON THE AREA.

3. CONOFF LATER ATTENDED COURT HEARING AT KRISHNAGAR

BEFORE THE DISTRICT AND SESSIONS BENCH OF JUDGE S.N. BANERJEE. STATE APPEALED FOR A CANCELLATION OF THE BAIL ORDER WHICH HAD BEEN PREVIOUSLY GRANTED BY THE SUB-DIVISIONAL JUDICIAL MAGISTRATE (SDJM), ON THE GROUNDS THAT EVIDENCE ADMITTED AT THE TIME OF THE ORIGINAL BAIL HEARING WAS NOT GERMANE AND THAT THE SDJM HAD EXCEEDED HIS AUTHORITY. DEFENSE ADMITTED THAT SOME OF THE EVIDENCE WHICH WAS PRESENTED SHOULD NOT HAVE BEEN SO PRESENTED BUT MENTIONED THAT EVEN WITHOUT SUCH EVIDENCE BAIL SHOULD HAVE BEEN GRANTED. HEARING LASTED FROM 1045 TO 1445 HOURS. THE ATTORNEYS ON BOTH SIDES WERE PEDANTIC, DIFFUSE AND LOQUACIOUS WHICH LEFT NO TIME FOR THE JUDGE TO HAND DOWN A RULING. JUDGE BANERJEE WILL BAND DOWN HIS RULING REGARDING THE GRANTING OF BAIL ON TUESDAY, JULY 26.

4. DEFENSE ATTORNEYS ARE MORE THAN ADEQUATE AND ARE UNDER THE GUIDANCE OF SHANKAR DAS BANERJEE, WHO DID NOT ATTEND HEARING, ONE OF THE MOST EMINENT CRIMINAL LAWYERS IN WEST BENGAL IF NOT INDIA.

5. A CROWD OF ABOUT 300 GATHERED FOR THE HEARING; ONE HUNDRED INSIDE THE COURT AND THE OTHER OUTSIDE. AN FSL WHO WAS ASSIGNED TO GAUGE THE CROWD AND ITS REACTION SAID THAT MOST OF THE CROWD WAS ILLITERATE, DRAWN PRIMARILY BECAUSE OF CURIOSITY WITH THE REST OF THE CROWD EVENLY LIMITED OFFICIAL USE

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DIVIDED AMONG SUPPORTERS AND OPPONENTS OF ISKCON.

6. THERE WERE NO RPT NO INCIDENTS AND CONOFF WAS PROVIDED WITH MORE THAN AMPLE SECURITY. DISTRICT MAGISTRATE ALSO TENDERED HER APOLOGIES FOR INCIDENT REPORTED IN CALCUTTA 1636.

7. COMMENT: IT APPEARS CASE MAY DRAG ON, NOT WILLFULLY BUT BECAUSE OF THE CHARACTER OF THE PUBLIC PROSECUTOR AND THE DEFENSE ATTORNEY. IT IS UNLIKELY THAT THE US CITIZENS WILL COMPLAIN, IF THEY ARE GRANTED BAIL, SINCE THEY HAVE BEEN TRYING TO STAY IN INDIA FOR A NUMBER OF YEARS AND THIS CASE PROPERLY DRAGGED ON WOULD ALLOW THEM THIS "HEAVEN SENT" OPPORTUNITY.

8. JOURNALISTS FROM CALCUTTA NEWSPAPERS WERE PRESENT FOR HEARING BUT NOT REPORTS HAVE APPEARED IN CALCUTTA NEWSPAPERS.
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Message Attributes

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Disposition Date: 22 May 2009
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